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Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 14-18 June 2010

Report of the Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

I. Introduction

1. In its resolution 56/24 V, the General Assembly welcomed the adoption by consensus of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and decided to convene a conference, no later than 2006, to review progress made in the implementation of the Programme of Action, the date and venue of which was to be decided by the Assembly at its fifty-eighth session. The Assembly also decided to convene a meeting of States on a biennial basis, commencing in 2003, to consider the national, regional and global implementation of the Programme of Action.

2. Pursuant to General Assembly resolutions 57/72 and 59/86, the first two biennial meetings were held in New York, from 7 to 11 July 2003 and from 11 to 15 July 2005. In accordance with Assembly resolutions 58/241 and 59/86, the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held in New York from 26 June to 7 July 2006. A further biennial meeting was held from 14 to 18 July 2008 pursuant to resolutions 61/66 and 62/47.

3. In its resolution 63/72, the General Assembly decided that the next biennial meeting of States to consider the national, regional and global implementation of the Programme of Action would be held no later than in 2010, in New York, and that the meeting of States to consider the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons would be held within the framework of the biennial meeting of States.

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4. In its resolution 64/50, the General Assembly decided that the next biennial meeting of States would be held in New York from 14 to 18 June 2010.

II. Organizational matters

A. Opening and duration

5. The Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held at United Nations Headquarters, in New York, from 14 to 18 June 2010, during the course of which 10 plenary meetings were held to consider the implementation of the Programme of Action.

6. The Secretary of the Fourth Biennial Meeting was Timur Alasaniya of the Department for General Assembly and Conference Management. The Office for Disarmament Affairs provided support on substantive issues.

7. The Fourth Biennial Meeting was opened by the High Representative for Disarmament Affairs, Sergio Duarte, who made a statement. Mr. Duarte also conducted the election of the Chair of the Meeting.

B. Officers

8. At the 1st meeting, on 14 June 2010, the following officers were elected by acclamation:

Chair:

Mr. Pablo **Macedo** (Mexico)

Vice-Chairs:

Algeria, Australia, Belarus, Bulgaria, Finland, Guatemala, Japan, Mali, Peru, Philippines, Poland, Republic of Korea, Sudan and Switzerland.

C. Adoption of the agenda

9. Also at the 1st meeting, the following provisional agenda (A/CONF.192/BMS/2010/L.1/Rev.1) was adopted:

1. Opening of the meeting by the High Representative for Disarmament Affairs.
2. Election of the Chair.
3. Statement by the Chair.
4. Adoption of the agenda and other organizational matters.
5. Election of other officers of the Meeting.
6. Consideration of the implementation of the Programme of Action in all its aspects at the national, regional and global levels, including:

(a) Establishment, where appropriate, of subregional or regional mechanisms, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders, including trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies;

(b) International cooperation and assistance;

(c) Strengthening of the follow-up mechanism of the Programme of Action, and preparations for the 2011 Experts Group meeting and the 2012 Review Conference;

(d) Other issues, and the identification of priority issues or topics of relevance in the illicit trade in small arms and light weapons in all its aspects and of their implementation challenges and opportunities.

7. Consideration of the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.

8. Consideration of the draft final document.

9. Consideration and adoption of the report of the Meeting.

10. At the same meeting, the programme of work (A/CONF.192/BMS/2010/L.2/Rev.1) was considered and adopted, as amended.

D. Rules of procedure

11. Also at the 1st meeting, it was decided that the rules of procedure of the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/L.1) would be applied mutatis mutandis.

12. At the same meeting, in accordance with paragraphs (a) and (b) of rule 63 of the rules of procedure, a decision was taken on the participation of non-governmental organizations in the work of the Fourth Biennial Meeting.

E. Documentation

13. The documentation of the Fourth Biennial Meeting is contained in document A/CONF.192/BMS/2010/INF/2 and Add.1.

14. National reports on the implementation of the Programme of Action were submitted to the Fourth Biennial Meeting on a voluntary basis by the following 105 States: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Canada, China, Colombia, the Congo, Côte d'Ivoire, Croatia, Cuba, the Czech Republic, the Democratic Republic of the Congo, Denmark, Ecuador, Egypt, Eritrea, Estonia, Finland, France, Georgia, Germany, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Latvia, Lesotho, Liberia, the Libyan Arab

Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Mexico, Morocco, Mozambique, Namibia, the Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Rwanda, Senegal, Sierra Leone, Slovakia, Slovenia, Spain, the Sudan, Sweden, Switzerland, the Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkmenistan, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Uruguay, Yemen and Zambia.

III. Proceedings

A. Consideration of the implementation of the Programme of Action in all its aspects at the national, regional and global levels

15. At the 1st meeting, the representative of the Small Arms Survey presented an analysis of national reports on the implementation of the Programme of Action. At the 3rd meeting, on 15 June 2010, a statement was made by the representative of the United Nations Institute for Disarmament Research (UNIDIR).

1. Establishment, where appropriate, of subregional or regional mechanisms, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders, including trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies

16. At its 1st and 2nd meetings, held on 14 June 2010, the Meeting discussed agenda item 6 (a). An introductory statement was made by Federico Perazza (Uruguay). Statements were also made by representatives of the following countries: Algeria, Argentina (on behalf of the Common Market of the South (MERCOSUR) and associated States), Australia, Bolivia (Plurinational State of), Canada, China, Colombia, Cuba, the Dominican Republic, Ecuador, Egypt, France, Guatemala, India, Indonesia (on behalf of the Non-Aligned Movement), Iran (Islamic Republic of), Israel, Jamaica, Japan, Kenya, the Libyan Arab Jamahiriya, Lithuania, Mexico, Morocco, Nigeria (on behalf of the Group of African States and in making its own national statement), Pakistan, Panama (on behalf of the Central American Integration System), Peru, the Philippines, Senegal, Sierra Leone, Spain (on behalf of the European Union, the candidate countries Turkey and Croatia, and the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as Ukraine, the Republic of Moldova, Armenia and Georgia, which aligned themselves with the statement), Saint Vincent and the Grenadines (on behalf of the Caribbean Community), Switzerland, Thailand, Uganda and the United States of America.

2. International cooperation and assistance

17. At the 3rd and 4th meetings, on 15 June 2010, under agenda item 6 (b), an introductory statement was made by Sarah de Zoeten (Australia). Statements were also made by representatives of the following countries: Algeria, Argentina (on behalf of MERCOSUR and associated States), Armenia, Australia, Austria,

Bangladesh, Botswana, Burundi, China, Colombia, the Congo, Cuba, the Democratic Republic of the Congo, Djibouti, El Salvador, Gabon, Germany, Guatemala, Guinea, Guyana, India, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Kenya, Lebanon, Mali, Montenegro, Morocco, the Netherlands, Norway, Pakistan, Peru, the Philippines, Portugal, Sierra Leone, South Africa, Spain (on behalf of the European Union), Switzerland, Togo, Trinidad and Tobago (on behalf of the Caribbean Community), the United States of America, Venezuela (Bolivarian Republic of), Viet Nam and Zambia. A statement was also made by the representative of the Organization for Security and Cooperation in Europe. The representatives of Azerbaijan and Armenia made statements in exercise of the right of reply.

3. Strengthening of the follow-up mechanism of the Programme of Action, and preparations for the 2011 Experts Group meeting and the 2012 Review Conference

18. At the 5th meeting, on 16 June 2010, under agenda item 6 (c), introductory statements were made by Marlene Gómez Villaseñor (Mexico) and facilitator Daniel Avila Camacho (Colombia). At the 5th and 7th meetings, on 16 and 17 June 2010, statements were also made by representatives of the following countries: Angola, Australia, Canada, China, Colombia, Côte d'Ivoire, Cuba, Ethiopia, France, Ghana, Guatemala, India, Ireland, Israel, Japan, Liberia, the Libyan Arab Jamahiriya (on behalf of the Group of Arab States), Namibia, Nicaragua, Norway, Pakistan, Papua New Guinea, Poland, the Russian Federation, Spain (on behalf of the European Union, the candidate countries Turkey and Croatia, and the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as Ukraine, the Republic of Moldova, Armenia and Georgia, which aligned themselves with the statement), Switzerland, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America. Statements were also made by the observer for the International Committee of the Red Cross (ICRC) and the representative of the Office for Disarmament Affairs.

4. Other issues, and the identification of priority issues or topics of relevance in the illicit trade in small arms and light weapons in all its aspects and of their implementation challenges and opportunities

19. At the 4th meeting, on 15 June 2010, under agenda item 6 (d), an introductory statement was made by Lawrence Obisakin (Nigeria). Statements were also made by representatives of the following countries: Argentina (on behalf of MERCOSUR and associated States), Australia, Botswana, Colombia, Cuba, Guatemala, India, Kenya, Mexico, Pakistan and Peru.

5. Statements by intergovernmental organizations, specialized agencies and United Nations organs

20. At the 6th meeting, on 16 June 2010, statements were made by representatives of the following intergovernmental organizations: the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organization, the Central American Integration System, the Economic Community of West African States, the Southern African Development Community, the East African Community, the International Conference on the Great Lakes Region, and the Regional Centre on

Small Arms and Light Weapons in the Great Lakes Region, the Horn of Africa and Bordering States. A statement was also made by a representative of the Office for Disarmament Affairs on behalf of the Coordinating Action on Small Arms mechanism.

6. Statements by non-governmental organizations and civil society

21. Also at the 6th meeting, statements were made by representatives of the World Forum on the Future of Sport Shooting Activities, International Physicians for the Prevention of Nuclear War and the International Action Network on Small Arms.

B. Consideration of the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

22. At the 7th and 8th meetings, on 17 June 2010, which were moderated by William Kullman (United States of America), under agenda item 7, statements were made by representatives of the following countries: Algeria, Argentina, Australia, Belgium, Burkina Faso, Canada, Chile, China, the Dominican Republic, France, Guatemala, India, Jamaica (on behalf of the Caribbean Community), Japan, Kenya, Morocco, Peru, Spain (on behalf of the European Union, the candidate countries Turkey and Croatia, and the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as Ukraine, the Republic of Moldova, Armenia and Georgia, which aligned themselves with the statement), Switzerland, Thailand and the United States of America. A statement was also made by the observer for ICRC.

IV. Consideration of the draft final document

23. At the 9th meeting, on 18 June 2010, under agenda item 8, the Chair presented to delegations a draft outcome document prepared with the assistance of the Friends of the Chair in thorough informal consultations with delegations. He appealed to delegations not to open a discussion on the draft and requested its adoption as an outcome document of the Fourth Biennial Meeting of States, while noting that such a procedure would not constitute a precedent for future meetings on the Programme of Action. At the same meeting, it was decided to include in the current report the outcome on agenda items 6 and 7.

V. Consideration and adoption of the report of the Meeting

24. At its 10th meeting, on 18 June 2010, the Meeting considered and adopted the draft report of the Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/BMS/2010/L.3). The outcome of the Fourth Biennial Meeting reads as follows:

I. Establishment, where appropriate, of subregional or regional mechanisms with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders, including trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies

1. States reaffirmed the inherent right to individual or collective self-defence, in accordance with Article 51 of the Charter of the United Nations.

2. States recognized the urgent need to prevent, combat and eradicate the illicit trafficking in small arms and light weapons across borders because of the harmful effects of those activities on the security of each State, subregion and region and of the world as a whole, endangering not only the well-being of peoples, but also their social and economic development.

3. States reiterated that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects across borders, in accordance with the sovereignty of States and their relevant international obligations.

4. Furthermore, owing to the transnational nature and dimension of this illicit activity, States recognized the value of addressing the illicit trafficking in small arms and light weapons across borders and their cooperation on this matter through an approach of common responsibility among them with full respect for each State's sovereignty.

5. States also acknowledged that the "porosity of borders", wherever they exist, is an aggravating element of illicit arms trafficking that allows criminals and traffickers to have free access to armaments through those borders. That traffic may lead to the prolongation of conflicts, exacerbates violence, undermines the internal security and development of States, increases the activities of transnational organized crime and corruption, and has a close link with other criminal activities such as trafficking in drugs and precious minerals, as well as terrorism.

6. States pointed out that the geographical nature and inaccessibility of or difficult access to some border areas, including maritime borders, poses challenges and difficulties in controlling cross-border activities, including the illicit trafficking in small arms and light weapons.

7. States emphasized the need to enhance cooperation and coordination among customs, border control and police authorities, within and among States, in order to make it easier for competent authorities to identify and seize small arms and light weapons illegally traded by air, sea and land.

8. States underlined the need to address the limited means, transfer of technology, human resources and institutional capacity to deal with this problem. Accordingly, States are encouraged to facilitate the transfer of technology for the detection and tracing of the trafficking in small arms and light weapons, in particular when it is related to drug trafficking, organized crime and terrorism and the trafficking in precious minerals.

9. States expressed the importance of several bilateral, subregional and regional instruments, mechanisms and initiatives that refer to this topic, as well as the Programme of Action and the guidelines for international arms transfers, as useful means to prevent, combat and eradicate the illicit trafficking in small arms and light weapons across borders.

The way forward

10. States are encouraged to enact laws, where appropriate or required, and to effectively reinforce laws and regulations in order to strengthen border controls.

11. States should enhance cooperation among national institutions responsible for the effective control of territorial, maritime and air borders, with other national, as well as subregional, regional and international institutions, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects.

12. States recommend the convening of subregional, regional and interregional meetings of their relevant enforcement authorities in order to exchange information, including best practices and lessons learned, in relation to the trafficking in small arms and light weapons, and to promote the harmonization of legislation, common practices and tools in the prevention of the trafficking in small arms and light weapons across borders.

13. States are encouraged to integrate coordinated and adequate procedures and processes for the prevention of the illicit trade in small arms and light weapons into their national border management strategies. This may include, where appropriate, the establishment or strengthening of border control mechanisms and the development of laws, regulations, policies and practices, as well as the creation or improvement of infrastructure, the upgrading of equipment, the implementation of confidence-building measures, the development of training programmes for personnel, engagement with border communities, including through the development of programmes for social and economic integration, and joint inter-agency border patrol exercises, among other things.

14. States are encouraged to take full advantage of the benefits that can be offered by cooperation with international organizations such as the World Customs Organization, the International Criminal Police Organization (INTERPOL) and the United Nations regional disarmament centres, among others.

15. States are encouraged to share technical information among themselves in order to prevent, combat and eradicate the illicit trade in small arms and light weapons across borders, and are encouraged to designate a technical contact to facilitate timely cooperation and to carry out joint actions, whenever necessary.

16. States are encouraged to reinforce inter-agency cooperation among customs, border control, police and judicial authorities to prevent the illicit trade in small arms and light weapons across borders. In this context, States stressed the importance of addressing the issue of the illicit trade by air, sea and land.

17. States underline the importance of continuing to implement paragraph 27 of section II of the Programme of Action in accordance with the approach of common responsibility among them with full respect for each State's sovereignty.

18. States emphasized that preventing, combating and eradicating the illicit trade in small arms and light weapons across borders merits further analysis, including determining ways forward in addressing this challenge, within the Programme of Action process.

II. International cooperation and assistance

19. States discussed the efforts undertaken by all States to promote information exchange, cooperation and assistance, national experiences and lessons learned, as well as the role played by international, regional, subregional and civil society organizations in providing assistance to States in building national capacity for the effective implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. They welcomed the efforts undertaken to date, but highlighted the need for further attention to be accorded to practical cooperation and assistance in order to achieve the full implementation of the Programme of Action.

20. States noted that assistance includes the provision of expertise and resources, including financial and technical resources, by one country to another with a view to building national capacity for the effective implementation of the Programme of Action. States also noted that cooperation includes all forms of joint or coordinated action between two or more States, including the sharing of information and experience, in support of Programme of Action implementation. States noted that cooperation and assistance can take place in a variety of forms, including between donors and recipients and between neighbouring States, as appropriate.

21. States recognized that the primary responsibility for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects falls on all States. They also recognized the need for close international cooperation to prevent, combat and eradicate this illicit trade. While recognizing that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, States recognized the need to encourage increased cooperation and assistance, and called on international partners to build and strengthen capacities in States, upon request, by addressing illicit arms trafficking in a manner that reflects national priorities. States also noted the need to consider ways to assess the effectiveness of cooperation and assistance received and provided in order to ensure the implementation of the Programme of Action.

22. States considered steps to enhance understanding of existing tools and mechanisms for addressing assistance needs and for matching needs with available resources. States welcomed the ongoing research of the United Nations Institute for Disarmament Research (UNIDIR) and the further development, by the Office for Disarmament Affairs, of the Programme of

Action Implementation Support System, including the new reporting template, and the work of the United Nations Regional Centres for Peace and Disarmament. States also welcomed the compilation of national assistance proposals from Member States recently prepared by the Office for Disarmament Affairs and the checklist prepared by UNIDIR to help States identify their needs for assistance. They acknowledged the role that these tools and mechanisms had in improving the matching of needs and resources for international cooperation and assistance and national capacity-building in the area of small arms and light weapons. States also emphasized the need for further efforts to identify, prioritize and communicate needs, and discussed possibilities for such efforts under follow-up mechanisms.

23. States underlined that, while the specific format for presenting assistance needs was the prerogative of States, the value of assistance proposals would be enhanced if they were formulated as concrete projects with measurable goals as part of relevant national plans. It was also emphasized that national reports could be used as a tool for communicating assistance needs and information on the resources and mechanisms available to address such needs. States also recognized the value of providing assistance to States, upon request, in order to facilitate the preparation of national reports.

24. States expressed concern regarding the financing of the illicit trade in small arms and light weapons, including through the proceeds of other criminal activities, and called for effective national, regional and global measures, as well as international cooperation, to address this growing phenomenon.

25. States highlighted the need to improve inter-agency cooperation, led by their national coordinating bodies, including information-sharing and joint action among law enforcement, intelligence and arms control officials. States also recognized the value of coordination among those agencies in the formulation of project proposals and the mobilization of resources. States recognized the utility of existing international, regional and bilateral mechanisms for facilitating information exchange, identifying and prosecuting groups or individuals, assisting in the prevention of the illicit brokering of small arms and light weapons and supporting the implementation of the International Tracing Instrument.

26. States noted the multidimensional nature of the problem of the illicit trade in small arms and light weapons in all its aspects. In this regard, States recognized the linkages between existing assistance and cooperation projects, and the potential for more such projects, which address multiple challenges, including terrorism, organized crime and the trafficking in drugs and precious minerals. States emphasized the essential importance of providing assistance, upon request, to combat the illicit trade in small arms and light weapons linked to drug trafficking, transnational organized crime and terrorism, and of facilitating the transfer of technologies that would improve the tracing and detection of the illicit trade in small arms and light weapons.

27. States also stressed the importance of the development and implementation of public awareness programmes on the problems and consequences of the illicit trade in small arms and light weapons in all its aspects.

The way forward

28. Recognizing that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, and stressing that the provision of international cooperation and assistance, including assistance for national capacity-building, is an overarching theme, essential to the full and effective implementation of the Programme of Action, States encouraged the promotion of international cooperation and assistance at the national, bilateral, regional and multilateral levels.

29. Recognizing the progress made over the past two years, States affirmed the needs and priorities identified during the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapon in All Its Aspects.

30. Building on these priorities, States also identified the following additional measures:

(a) States are encouraged to enhance practical cooperation by reviewing past and existing international cooperation practices and through further efforts on all aspects of the implementation of the Programme of Action, including joint or coordinated action, among all relevant agencies, including stockpile management, law enforcement, judicial, prosecutorial, investigative, intelligence, border and customs control agencies, as well as arms control officials responsible for arms transfer licensing, transit, brokering and transport;

(b) States are encouraged to share knowledge and expertise on the implementation of the Programme of Action, including in the development of appropriate legislation, regulations and administrative procedures, the development of weapons collection programmes, and the strengthening of national capacities, including the training of national authorities in such areas as investigative techniques, prosecution, border controls, stockpile management, tracing and the use of marking machines;

(c) States that have not yet done so are encouraged to nominate a national point of contact to act as liaison between States on matters relating to the implementation of the Programme of Action, including cooperation and assistance;

(d) States are also encouraged to provide support for national points of contact to ensure that they are adequately resourced to undertake their role as liaison between States on matters related to the implementation of the Programme of Action, including cooperation and assistance;

(e) States are encouraged to consider ways to enhance cooperation and assistance and to assess their effectiveness in order to ensure the implementation of the Programme of Action, including at the open-ended meeting of governmental experts in 2011, which will address key implementation challenges and opportunities relating to particular issues and themes, including international cooperation and assistance;

(f) States are also encouraged to enhance cooperation and increase inter-agency coordination nationally, regionally and internationally, including by using, as appropriate, existing organizations and structures, such as the World Customs Organization and INTERPOL;

(g) While reaffirming the primary responsibility of all States for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects, States recognize the role that the United Nations as well as regional and subregional organizations can play in assisting States, upon request, in building capacity to identify, prioritize and communicate assistance needs, as well as the potential role of such organizations in following up on assistance requests in order to match needs and resources;

(h) In order to identify, prioritize and communicate needs and match them with resources, States are encouraged to build on existing mechanisms, such as the enhanced Programme of Action Implementation Support System, and to consider other ways in which needs and resources can be matched effectively and assistance and cooperation can be more effectively coordinated, including by exploring opportunities for increasing dialogue between States;

(i) In this regard, States encouraged further efforts by the Office for Disarmament Affairs, in the context of the Programme of Action Implementation Support System, to assist States, upon request, in preparing project outlines identifying country-specific needs;

(j) In order to better identify donors for these proposals and to increase the visibility of available assistance, States encouraged intensified efforts among all States, international and regional organizations and civil society in order to identify possible matches. States recognized that such efforts should complement, support and feed into existing regional efforts;

(k) States encouraged the United Nations Regional Centres for Peace and Disarmament to assist in the matching of regional expertise and resources with regional needs;

(l) States and international, regional and subregional organizations in a position to do so should support the development and implementation of public awareness programmes on the problems and consequences of the illicit trade in small arms and light weapons in all its aspects.

III. Strengthening of the follow-up mechanism of the Programme of Action, and preparations for the 2011 Experts Group meeting and the 2012 Review Conference

31. States welcomed the opportunity to discuss the questions of strengthened follow-up to the Programme of Action, as well as preparations for the open-ended meeting of governmental experts and the Review Conference, scheduled for 2011 and 2012, respectively.

32. States noted that a series of mechanisms had already been developed for Programme of Action follow-up, including voluntary national reporting, biennial meetings of States, review conferences and the annual General

Assembly resolution on the illicit trade in small arms and light weapons in all its aspects. Efforts for strengthened Programme of Action follow-up would necessarily be focused on these existing mechanisms. The open-ended meeting of governmental experts scheduled for 2011, and possibly others, also had a potential role to play in this implementation architecture, although adequate prior preparation and the development of pragmatic, action-oriented agendas for these meetings were seen as important factors underpinning their utility for overall implementation efforts.

33. States emphasized the need to ensure continuity and complementarity among these mechanisms, as well as a pragmatic and operationally driven approach to strengthened Programme of Action follow-up.

34. There was a need to clearly define and distinguish the mandates of Programme of Action meetings, and also to link, and ensure the complementarity of, meeting mandates and outcomes, including as part of voluntary reporting on the Programme of Action. States expressed strong support for the early designation of the Chair of Programme of Action meetings, along with the early development of meeting agendas in consultation with Member States.

35. States also stressed the fundamental importance of voluntary national reporting to follow up on the Programme of Action, which remains a cornerstone of efforts to assess overall implementation efforts, including implementation challenges and opportunities. States noted that the development of a standardized reporting template by the Office for Disarmament Affairs would enhance the comparability of reports. They also noted that shifting the reporting schedule to a biennial basis, timed to coincide with biennial meetings of States and review conferences, could prove useful in increasing the number and quality of reports.

36. States also considered the role of the analysis of national reporting in promoting the implementation of the Programme of Action, including the identification of implementation challenges and opportunities and the broadest possible dissemination of national experiences and good practices. They welcomed the analysis of national reporting in 2009–2010 presented at the meeting, and noted, further, that tools developed by the Office for Disarmament Affairs, including the Programme of Action Implementation Support System, and by Member States could also be used to assess progress made in Programme of Action implementation. States encouraged the Office for Disarmament Affairs, in consultation with Member States, to continue to develop the System with a view to further enhancing its utility for the national implementation of the Programme of Action.

37. While noting the continued importance of cooperation and assistance for the practical implementation of the Programme of Action, States also noted the need for broad participation in Programme of Action meetings, including the provision of assistance by those States in a position to provide it, on a voluntary basis, for that purpose.

The way forward

38. States should make every effort to produce, on a voluntary basis, a comprehensive report on their implementation of the Programme of Action, including implementation challenges and opportunities, every two years, timed to coincide with biennial meetings of States and review conferences.

39. States highlighted the need to include in such reports information on progress made in the implementation of measures set out in the outcomes adopted at preceding Programme of Action meetings, in order to enhance the continuity of the process.

40. States also recognized the need for a comprehensive assessment of progress in the implementation of the Programme of Action, 10 years following its adoption, as an input for the 2012 Review Conference.

41. When reporting on their implementation of the Programme of Action, States in a position to do so are encouraged to use the new reporting template prepared by the Office for Disarmament Affairs, which can increase the comparability of reports, facilitate the matching of needs and resources, and make it easier for States to provide updated information on implementation.

42. States and other relevant actors with the capacity to do so were encouraged to cooperate with and assist other States, upon request, in the preparation of comprehensive reports on their implementation of the Programme of Action.

43. In order to increase the engagement of States in the Programme of Action process, States were encouraged to consider the timely establishment of a voluntary sponsorship fund through which financial assistance could be provided, upon request, to States otherwise unable to participate in Programme of Action meetings.

44. States recognized that, in order to enhance the coherence and continuity of the Programme of Action implementation process, it would be useful if the schedule of meetings were standardized to the fullest extent possible, in principle over a six-year period, including one review conference and two biennial meetings of States. States also recommended that the 2012 Review Conference take a decision on the further convening of open-ended meetings of governmental experts.

45. States reaffirmed the importance of the early designation of the Chair of future Programme of Action meetings and encouraged the relevant regional group to make such a nomination, if possible, one year in advance of the meeting. In order to ensure continuity among meetings, the Chair of a Programme of Action meeting could, in consultation with Member States, collaborate with the Chair and Chair-designate of the previous and following Programme of Action meetings.

46. States also emphasized the importance of selecting, with the assistance of the Chair-designate, priority issues or topics of relevance well in advance of Programme of Action meetings.

47. States recommended that, in addition to international cooperation and assistance, already selected for focused consideration by the General

Assembly,[1] one or two priority issues or topics of relevance to the illicit trade in small arms and light weapons in all its aspects be identified well in advance of the open-ended meeting of governmental experts, scheduled for 2011.

48. States underlined the need to distinguish the mandates of the biennial meetings of States and the review conferences for the Programme of Action and, in this regard, noted that the latter had a mandate to review progress made in the implementation of the Programme of Action.

49. States also recommended that the 2012 Review Conference assess and, as necessary, strengthen the follow-up mechanism of the Programme of Action.

50. States recognized that some of these measures could have budgetary implications that might need to be taken into account.

IV. Other issues, and the identification of priority issues or topics of relevance in the illicit trade in small arms and light weapons in all its aspects and of their implementation challenges and opportunities

51. During the discussion of agenda item 6 (d), without prejudice to the views of other States, some States indicated that, in their view, certain issues were important for the implementation of the Programme of Action. On these issues, other delegations expressed a different opinion. The issues included:

(a) Ammunition for small arms and light weapons and explosives;

(b) Strengthening regulatory frameworks for enhanced control of the illicit trade in small arms and light weapons in all its aspects, including capacity-building;

(c) Illicit manufacturing, including unlicensed manufacturing;

(d) Responsible civilian possession of small arms and light weapons;

(e) End-user certification and verification, including standardization;

(f) Monitoring air and maritime transport, including illicit air transport;

(g) Prohibiting the supply of small arms and light weapons to non-State actors and terrorists;

(h) Linkages among terrorism, organized crime, the trafficking in drugs and precious minerals and the illicit trade in small arms and light weapons;

(i) Demand and supply issues;

(j) Linkages among security, armed violence, development and human rights;

(k) The use of force and firearms by Government security forces, including peacekeeping forces, in accordance with international norms;

[1] See General Assembly resolution 64/50, para. 15.

(l) The protection of civilians, especially women and children, from armed violence and in armed conflict;

(m) Addressing the special needs of women, young people, children and vulnerable groups;

(n) Victim assistance;

(o) Gender perspective;

(p) Enhanced cooperation among all stakeholders;

(q) Enhanced partnerships with civil society and the private sector;

(r) Assisting and promoting conflict prevention and the pursuit of negotiated solutions to conflicts, including by addressing their root causes;

(s) Conflict management, the peaceful settlement of disputes and respect for international law;

(t) Combating cultures of violence and impunity;

(u) Security sector and governance reform;

(v) Private security providers;

(w) Transforming the Programme of Action into a legally binding form;

(x) Measuring progress in the implementation of the Programme of Action, including through review conferences.

52. Many States emphasized the importance of promoting dialogue and a culture of peace by encouraging, as appropriate, education and public awareness programmes on the problems related to the illicit trade in small arms and light weapons in all its aspects, involving all sectors of society.

Annex

Outcome on the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

I. Introduction

1. In the context of the Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, States considered the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons. They noted that the Fourth Biennial Meeting represented the second opportunity to consider the implementation of the International Instrument, since its adoption on 8 December 2005, in accordance with General Assembly resolution 63/72.

2. At the time of the convening of the Fourth Biennial Meeting, States had already submitted national reports that included information on the implementation of the International Instrument. Through national reports, States provided information on their experiences in its implementation and on bilateral, regional and international cooperation and assistance efforts that they had provided or could provide. They also provided information on the difficulties that they had encountered in implementing the International Instrument and highlighted areas where international cooperation and assistance could help to advance its implementation.

3. States identified the marking and tracing of small arms and light weapons as a key mechanism for national, regional and/or international efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons. They agreed to cooperate in identifying and tracing illicit small arms and light weapons in a timely and reliable manner, including by strengthening their ability to do so.

II. Implementation of the International Instrument

4. States noted that laws, regulations and administrative procedures related to the implementation of the International Instrument had been integrated into the national processes of many States, in accordance with its paragraph 24, and that the process of strengthening national implementation in a number of States was under way:

(a) Marking:[a] States considered the critical importance of marking for the implementation of the tracing Instrument. In particular, they noted that, although many small arms and light weapons might have been marked at the point of manufacture, many weapons lacked any or sufficient markings to ensure the effective tracing of those weapons were they to be later exported or smuggled out of the country. States also noted that many markings might have been partially or completely obliterated. In that regard, States highlighted the importance of full

[a] See A/60/88 and Corr.2, annex, sect. III.

implementation and the need to facilitate enhanced technical capacity to mark all small arms and light weapons and recover obliterated markings;

(b) Record-keeping:[b] States considered the requirement of the Instrument that proper records be maintained and for a sufficient length of time. Many States noted that, in order for markings to be of real value, proper records would need to be maintained, especially in a form that made such records easily and quickly accessible. Many States noted the value of technology in creating a comprehensive system of records, although States used a variety of record-keeping methods;

(c) Cooperation in tracing:[c] States welcomed the efforts of many States, regional organizations and international organizations that have provided educational outreach to promote the implementation of the Instrument. Many States noted the effectiveness of bilateral arrangements in deepening implementation of the tracing Instrument. States also noted the need for more expertise in the technical areas of tracing and encouraged the wider diffusion of this expertise to States in need of such assistance. States also encouraged the need to establish, where they do not exist, information-sharing arrangements as a means to expand cooperation in tracing and noted the need to incorporate tracing into existing arrangements.

III. International cooperation and assistance in implementation of the International Instrument

5. States took note of the importance of cooperation among States in various regions of the world, and the successes in sharing tracing information, for the effort to combat the illicit trafficking in small arms and light weapons. However, States also noted the latest analysis by the Small Arms Survey, which suggested that more work needs to be done to foster wider and deeper cooperation.

6. States took note of the efforts made by various regional organizations and centres to provide marking machines for those nations that lacked the capacity to ensure the marking of firearms in inventory, at the point of confiscation and at the point of importation. States welcomed this development and encouraged States and organizations in a position to do so to continue those efforts.

7. Some States emphasized the need for greater practical steps to increase cooperation, including the dissemination of national marking practices and the identification of points of contact and more regular communication with those contacts.

8. States highlighted the ever greater importance of tracing as a means to combat the global threat of illicit trafficking, a threat that appears to have grown since the Instrument was adopted. States recognized that the challenges of illicit trafficking must be met with greater and more sustained effort by individual States, including efforts in the field of the tracing of small arms and light weapons.

9. States noted the continued efforts at the regional level to promote the Instrument and strengthen its implementation, including a capacity-building workshop on the Instrument for States of the Economic Community of West African

[b] Ibid., sect. IV.
[c] Ibid., sect. V.

States, held in the Czech Republic from 14 to 18 September 2009. Some States also stressed the importance of coordination among international bodies such as INTERPOL that can offer assistance in the tracing of illicit weapons.

The way forward

10. With a view to ensuring and expediting the full and effective implementation of the International Tracing Instrument, States reached the following understandings:

(a) States recognize that establishing the legal framework is not enough without the technical and human capacity to implement the International Instrument. Therefore, States in a position to do so were called upon to render, upon request, technical, financial and other assistance, both bilaterally and multilaterally, in building national capacity in the areas of marking, record-keeping and tracing in order to support the effective implementation of the International Instrument by all States;

(b) States in a position to do so were called upon to render, upon request, technical, financial and other assistance, both bilaterally and multilaterally, in building national capacity with regard to the development of national legislation, regulations or administrative procedures, as necessary;

(c) States that had not yet done so were encouraged to exert every effort to designate national points of contact to exchange information, in accordance with paragraph 31 (a) of the International Instrument, in which it is stated that a name and contact information should be provided to the United Nations, which will distribute the information among Member States. Thus, interaction between national points of contact for the purpose of implementing the International Instrument is to continue and be further enhanced at the bilateral, regional and international levels;

(d) In reporting on their implementation of the International Instrument, in accordance with its paragraph 36, States were encouraged to use the proposed United Nations template because it is considered a useful tool for enhancing the comparability of reporting information and allows States to evaluate and determine the effectiveness of the Instrument in enhancing cooperation in tracing. The report may include, where appropriate, national experiences in tracing illicit small arms and light weapons; quantitative data that would enable States to assess the effectiveness of the Instrument in enhancing cooperation in tracing; and measures taken in the area of international cooperation and assistance. States were encouraged to submit their reports well in advance of biennial meetings and review conferences;

(e) States were encouraged to support the role of the United Nations in promoting the International Instrument. States were also encouraged to support the role of INTERPOL in assisting in the implementation of the Instrument, particularly its role in facilitating cooperation by States in the tracing of illicit small arms and light weapons;

(f) The web-based Programme of Action Implementation Support System can serve as a useful tool for practitioners and policymakers involved in the implementation and reporting procedures for the International Instrument. States were encouraged to benefit from this resource and to support it, where appropriate;

(g) States were encouraged to strengthen, as appropriate, the efforts undertaken by regional organizations in order to support the implementation of the International Instrument, including, where appropriate, exploring regional frameworks and mechanisms. States were also encouraged to develop, where appropriate, legislation that includes provisions for the mutual exchange of information and intelligence, which can facilitate tracing, and to harmonize tools and practices for marking and tracing. Furthermore, States were encouraged to consider improving the availability of information on traced illicit small arms and light weapons to appropriate agencies at the national, regional and international levels, in conformity with paragraphs 14 and 15 of the Instrument, as this may help significantly to prevent small arms and light weapons from being diverted. States were also called upon to support, where appropriate, the distribution of marking machines to enable States to mark existing State inventories of small arms and light weapons, in addition to newly seized or newly imported or manufactured small arms and light weapons;

(h) States were encouraged, as appropriate, to enhance bilateral, regional and international cooperation in line with the International Instrument;

(i) States recognized the important role that civil society plays in promoting the full implementation of the International Instrument.